

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

Gary D. Easley,

NO. C 10-05635 JW

Plaintiff,

**ORDER CONTINUING CASE  
MANAGEMENT CONFERENCE**

v.

County of Santa Clara, et al.,


Defendants.

\_\_\_\_\_ /

This case is scheduled for a Case Management Conference on April 11, 2011. Pursuant to the Federal Rules of Civil Procedure and Local Rules of this Court, Plaintiff and Defendant City of San Jose conferred and duly submitted a Joint Case Management Statement and Proposed Order. (hereafter, "Statement," Docket Item No. 37.) In the Joint Statement, Plaintiff contends that a Conference is premature in light of the fact that County Defendants have not yet responded to Plaintiff's newly filed Second Amended Complaint and have not engaged Plaintiff in any discussions relating to case management. (Statement at 3.) Further, Defendant City of San Jose indicates that it intends to re-file its Motion to Dismiss Plaintiff's claims against it if Plaintiff does not voluntarily dismiss it from this action. (Id. at 2.) In light of the parties' representations, the Court finds good cause to continue the Conference at this time.

Accordingly, the Court CONTINUES the Case Management Conference to **July 11, 2011 at 10 a.m.** On or before **July 1, 2011** the parties shall file a Joint Case Management Statement that includes all Defendants and provides, *inter alia*, a good faith proposed schedule as to how this case should proceed.

Dated: April 6, 2011

  
\_\_\_\_\_  
JAMES WARE  
United States District Chief Judge

**THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

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Gary D. Easley  
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**Dated: April 6, 2011**

**Richard W. Wieking, Clerk**

**By: /s/ JW Chambers**  
**Elizabeth Garcia**  
**Courtroom Deputy**